

**Draft – Pre-Approval
Bay, Rivers and Watersheds Coordination Team
Minutes of the Meeting held April 19, 2006**

Participants of the meeting included: W. Michael Sullivan, Juan Mariscal, Kevin Flynn, Meg Kerr, Kevin Willis, Mike McMahon and Tom Uva

Others: M. Adelman, P. August, K. Bergstrom, J. Cragen, M. Hogan, L. Horridge, S. Kiernan, A. McBride, J. Motta, Rep. E. Naughton, D. Preston, D. Pryor, M. Pryor, R. Ribb, W. Waller, S. Whitehouse, C. Young, and Tom Getz

Approval of Minutes

The December, February and March Meeting minutes were approved. There was a clarifying word change to the March meeting notes. Meg Kerr brought up the issue of posting the meeting minutes. She also said she would help with the minutes. There was agreement that minutes would be posted as draft until they were approved, and then they would be posted as approved. Chip Young reminded everyone that he needs at least 48 hours before a meeting to post the meeting agenda.

Administrative Support

Mike Sullivan indicated the chair and the support staff positions are still listed in the DEM budget. Mike had an inquiry from the House Finance Committee concerning this issue and said he had no objections to the positions being moved elsewhere but suggested it might be better to have them within a 'Cteam members' budget. He said the important thing is to have the positions filled. Mike also indicated he discussed the positions with the Director of DOA. He was told the hold up had to do with the pay of the Chair. It appears these issues are resolved and the hearings on the positions should be posted soon.

III. FINANCING OPTIONS FOR THE CT

Kip Bergstrom passed out a proposal for Potential Funding Sources for Coordination Team Monitoring (Attachment A). He mentioned this is a starting point to begin the discussion concerning fees. His proposal is following up on the testimony of Curt Spaulding and was trying to be creative in an approach that spreads fees to all the people who benefit from the bay. He thought Reps. Naughton and Malik were also looking for alternatives to fund the CT monitoring proposals.

Tom Uva would like to see proposals that spread the cost of the monitoring program to other sources other than the Narragansett Bay Commission. He feels his organization is very helpful in monitoring the bay and will work with the CT to find a reasonable solution to the problem. There are many other sources of discharges to the Bay other than wastewater treatment facilities (WWTF). He then mentioned that there is a water quality surcharge charge on water bills.

At this point Juan Mariscal passed out a draft analysis of the Rhode Island WWTF statistics and information concerning Rhode Island water supplier water production statistics. From this information he calculated a draft cost allocation if a fee was to be attached to the current Residential User Fee from these two programs. He roughly calculated the increase in the wastewater treatment bill would be an incremental \$2.92. The increase on a water supply bill was estimated to be \$0.26. These estimates were based on a 200-gallon per day usage. There was a discussion on how much money does water supply fees raise. It was indicated the fees now collected are between \$6M and \$7M. The money goes to pay infrastructure bonds, administrative costs and the rest goes to the general fund. There was a thought that the funding mechanism did not spread the cost to people who have septic systems (ISDS) and in many areas; they contribute to water pollution problems.

The group then discussed other ideas to support a revenue stream to pay for CT monitoring activities. The main points included the following:

- It was anticipated that vanity plates would not generate a lot of money. The existing plates generate only about \$40K.
- DEM is reviewing the existing structure of the fees generated by the ISDS program. The current fees do not cover the cost of reviewing applications.
- DEM is evaluating discharge fees, but this would primarily impact the WWTF.
- The state should consider imposing a fee on rolls of toilet paper. Maryland uses this approach.
- The state should issue bonds to cover monitoring. It was indicated that bonds usually are used for capital costs and not operating costs.
- Use of the Underground Storage Tank program could be a source of funding.
- Increase the limit on the OSPAR account and use that amount for funding monitoring.
- Evaluate increasing the fees for the Sherlock User fees. This is a program that requires large dischargers to monitor their effluent.

Juan Mariscal brought up the point that the CT should request seed money from the legislature this year. He thought some of the proposals would require the development of regulations, some of them based on passage of legislation. He thought the request should cover the cost of monitoring starting this summer and the CT would then bring back a specific plan to the legislature in January that would support a sustainable monitoring program.

Rep. Naughton indicated this proposal needed to move forward now. She prepared a letter that will be sent to the state agencies requesting them to review existing license fees and consider increases where appropriate. She indicated she was willing to work with the CT to determine an appropriate cash flow. She thought OSPAR was one of the potential sources of funding the monitoring program. She indicated Bay monitoring is setting the baseline conditions of the bay. In the event of a spill, the state would have a before and after comparison. She also indicated she did not want the funding to come from one agency. She also questioned if there was any data that could determine the effectiveness of the measures that were funded by the Clean Water Funding Agency (CEFA). It might be a good idea to have recipients of the funding to determine if implementation of the project met the design requirements. It might be useful to have the CWFA require monitoring as part of receiving the funding to determine if the expenditure of money was cost-effective.

Mike Sullivan distributed a handout concerning existing expenditure of fund for bay monitoring. He requested that other organizations provide DEM with their bay monitoring personal, contractual and operating expenses. A compilation of this information will be useful in developing a picture of the existing statewide investment in bay monitoring. Tom Uva indicated NBC spent approximately \$2.7M in combined laboratory and monitoring expenses. He will try to get the other information to DEM in the next two weeks.

Meg Kerr asked if there was any interest in having a smaller group of the CT work on fee options. Mike Sullivan indicated DEM would review Kip's list and try to cost out the potential revenue streams in areas where DEM has data. He thought it might be better to have a few broad based initiatives rather than a lot of little revenue streams that would be difficult to administer. He also thought the funds should go into a dedicated fund that would be used for monitoring. Juan Mariscal indicated he would help to fine tune a proposal.

VII. INTERSTATE ISSUES

Mike Sullivan indicated he thought it was important to draw EPA into the Narragansett Bay process. This is an interstate issue. EPA would consider this initiative an Eco Based Management concept. He also said about 60% of the watershed is in Massachusetts. He mentioned the discharge limits for their WWTF are not as tightly controlled as in Rhode Island. He proposed drafting a letter for everyone to sign and would invite the EPA Regional Administrator to the May meeting. He thought Massachusetts should also help to finance some of the monitoring, since they are one of the sources of the insult to the Bay.

Kevin Flynn asked if the CT was requesting Massachusetts to contribute 60% of the bay monitoring cost. Mike Sullivan indicated he was communicating with Administrator Varney and trying to get EPA to require the Massachusetts' WWTF to reduce their discharge limits to be comparable to those in Rhode Island. Although the state may not agree to fund 60% of the costs this is an issue of environmental equity that needs to be addressed. Rep. Naughton suggested that Massachusetts should consider developing an agency similar to the RI CWFA to fund some of their infrastructure costs.

IV. MONITORING DISCUSSION

Meg Kerr indicated she had questions on the process that is used to select stations and how information is disseminated. She was not concerned on the selection of the specific stations themselves. Peter August, a co director of the Monitoring Collaborative with Sue Kiernan, indicated the group met in March and discussed the schedule for reducing gaps in monitoring rivers and streams. There was a lot of discussion on the rotating basin concept. It was his opinion that there is a lot of coordination with respect to bay monitoring. He indicated data dissemination is a two-tiered activity. More data is being shared via NARBAY that captures orphan data. He also indicated coordination is occurring with NOAA data.

Meg Kerr requested information from Sue Kiernan concerning the tentative rotating basin schedule. She would like to get this information to the local organizations so they would not have to duplicate their efforts. Mike indicated we needed to communicate with each other in order to increase efficiency and get synergy from each other's efforts. Sue thought it was important to pull local organizations into the planning stage in order to determine monitoring

needs. This was done in the Wood Pawcatuck area and it worked. Meg thought if the information was on the web, this could lessen the number of meeting people needed to attend meetings.

V. NEXT STEPS WITH THE GENERAL ASSEMBLY

David Preston from the New Harbor Group provided a few insights on how to work the CT issues in the legislature. He said the legislature is very busy at this time of the year and our requests need to be raised above the “noise” level of their work. He suggested the following:

1. Make it easy for them to do what they have to do. Suggest ways to fund the monitoring work.
2. We need to get the message to the legislature that this policy has support. It is better to get this message to them now versus later. He can present, at a latter date, on methods to get our message to our constituents and how this information can be sent to the legislature electronically.

Sandra Whitehouse indicated she would work with the House Finance committee to put together a draft of funding sources from suggestions from the CT.

VI. AD HOC GROUP (AHG) UPDATE

Richard Ribb provided an update of the Ad Hoc Group and distributed a summary of the April 17th meeting. Richard indicated the AHG, based on a request made at the March Coordination Team meeting, agreed to review the Narragansett Bay Estuary Program proposal to work in collaboration with the Coordination Team regarding three specific actions, listed below, that would help meet both state legislative and federal Clean Water Act mandates. The AHG would discuss how the actions could be implemented, what resources might be needed or re-directed, and what roles participants could possibly take. The proposed actions are:

- Creation of a new State of the Bay Report
- Development of a bay and watershed plan to meet state and federal requirements, and
- Production of a public forum to increase public understanding of bay and watershed conditions and to secure public input on goals and priorities.

The major part of the CT discussion focused on the last action. The topic that was of most interest at the AHG meeting was the initiation of a series of public forums on targeted issues. Shoreline development, restoration and public access on the Bay and rivers are important to address now because these issues were being actively discussed, but on a case-by-case basis. A policy review of this topic would be beneficial to both the public and decision-makers. Richard Ribb suggested a public process, focused on specific issues viewed in the context of a larger integrated perspective, rolled out with accompanying analysis documents would be useful, similar to, but more tightly focused and smaller than, the Narragansett Bay Summit 2000 model. After discussion, the consensus was to schedule the summit in the fall. There is a lot of work to pull off a summit in June and people would not be able to do this and work on funding of the monitoring initiative. Other points raised in the discussion included:

- There is a need to get the public involved in bay and watershed issues. There needs to be a grassroots component to this project. (M. Pryor)
- A question was raised if the full Bay summit model was needed; however it is important to engage people at the local level. (K. Bergstrom)
- The process should be transparent and the public should be engaged. (M. Kerr)

- This is a perfect process for the CT Chair to coordinate. (K. Bergstrom)

The discussion then switched back to the need to develop proposals to support funding of the CT monitoring projects. Rep. E. Naughton thought the CT is operating as envisioned by the legislature. People are acting on a shared vision. The priorities of the CT need to be funded, but we need to get the public involved with the process. Chip indicated he would like to bring the Public Advisory Committee together to work on the funding issue. There was general agreement that the group should develop funding proposals to support the six priority projects and the Economic Monitoring proposal within the next two weeks.

The next issue raised was the mechanics to actually fund the CT. The question was whether to fund the CT directly or to have the money flow through one of the agencies. Rep. E. Naughton and K. Bergstrom thought the funding should be appropriated to the CT, perhaps through a budget article. M. Pryor, T. Uva and M. Sullivan thought DEM could be used to house the funding since there is administrative support to perform this function.

VIII. OTHER BUSINESS

- M. Sullivan indicated he would move forward with drafting a letter to invite EPA to the next meeting to discuss the engagement of Massachusetts in the bay activities.
- T. Uva indicated there would be a clean up of the Woonasquatucket River on April 20 that is being sponsored by NBC.
- M. Kerr indicated the next meeting of the Rivers Council was May 2.
- K. Flynn said the State Land Use Plan was recently approved.
- M. Sullivan indicated DEM received \$160K, the largest grant nationwide, from NOAA to conduct a bay cleanup. Clean the Bay will be used to do the major part of the work.
- May 24th is the next regularly scheduled meeting of the CT.

Attachment A
**Potential Funding
Sources for
Coordination Team
Monitoring**

| User Group | Existing/Potential Fees | Entity Responsible |
|----------------------------|--|-----------------------------|
| Bay lovers | Vanity license plate | General Assembly |
| Brownfield redevelopments | Plan approval fees | DEM |
| Cruise ships | Landing fees | Local authorities |
| Ferries | License | PUC |
| Fishermen - commercial | License | DEM |
| Fishermen - recreational | License | DEM |
| Marinas | Dredging fees, submerged land fees | CRMC |
| Marine researchers | ? | ? |
| NUWC - GATR | Submerged lands fee (potential) | ? |
| Petroleum shippers | Oil Spill Prevention and Administration Response (OSPAR) - \$.05/barrel of petroleum; dredging fees; lightering fees | DEM |
| PILOTS | License | DEM |
| Recreational vehicles | Permit fees | CRMC |
| Sewer authorities | Sewer fees | NBC/Other local authorities |
| Tourists | Meal tax, beach parking fees, Newport Bridge toll, hotel tax | GA/DEM/Others |
| Water users | Water fees | WRB |
| Waterfront property owners | ISDS fee, dock permits | CRMC/DEM |